

THE LEMON LAW-THE SOUR TRUTH

NASHVILLE – What do you do when the snazzy new car you just bought turns out to be a Lemon?

Tennessee's Lemon Law can help, but often consumers need help understanding the law and using it effectively, said Mary Clement, Tennessee's Director of Consumer Affairs.

Under the law, a lemon is any motor vehicle, sold or leased, that has a defect that greatly impairs its condition, where the manufacturer, agent or dealer has made at least four attempts to repair that same problem, or the vehicle has been out-of-service for at least 30 days.

The defect must make the vehicle unsafe to drive or reduce its resale value in comparison to other similar vehicles.

If you think you've bought a Lemon, it's important to do two things: report it to the manufacturer or dealer immediately and keep all repair records. The law's term of protection is for one year from the original delivery date of the vehicle or the term of the warranty, whichever comes first. Unless the problem is reported within that one-year period, you may not be able to make a claim under the law.

"Our Division will work to contact the manufacturer and attempt to resolve the situation," said Director Clement. "Be sure to keep detailed copies of all paperwork and repair reports to support your claim."

If you do have a lemon, you must notify the manufacturer of the problem via certified mail. The manufacturer then has an additional 10 days to repair the vehicle.

If the manufacturer cannot repair the vehicle and they have an informal dispute settlement procedure that complies with the FTC, the Lemon Law will not apply until you submit to the manufacturer's dispute procedure. The decision is not binding; you can still choose to hire a private attorney and go to court under the Lemon Law.

If you do not want to go to court, the Tennessee Consumer Affairs Division can try to mediate the dispute.

Any questions or concerns about the Lemon Law can be sent to the Tennessee Consumer Affairs Division at (615) 741-4737 or toll-free at 1-800-342-8385. The Division is here to protect consumers and businesses from unfair business practices.